

**REMARKS/ARGUMENTS**

This Amendment is submitted in response to the Office Action dated May 7, 2007. Reconsideration after entry of the present amendments is respectfully requested.

- 5 Claims have been cancelled and claims have been amended. No new matter was introduced by way of this amendment.

- Independent claims 1 and 35 were amended to claim the apparatus configuration, as disclosed in one embodiment. With reference to Figure 1 of the present application, the applicants have amended the claims to further define the polishing pad, the slurry  
10 delivery device and the fluid restraining device. Additionally, the claims were amended to avoid defining terms with "capable of" language, to better define the embodiments.

The Office cites to two new references, namely Benner et al. and Kunugi. The Applicants have studied the new cited art, and based on the amendments and differences noted below, the Applicants respectfully traverse the rejections.

- 15 Benner et al. defines a system for conditioning a pad. The system relies on contacting the pad directly with abrasive disks 36. The system shows the delivery of abrasive through hose 23, and the abrasive flows through a number of disks shown in figure 8. Some removal is allowed to occur out of vacuum 22, through the same exact holes 37. Consequently, the same holes are used for in and out. There is no teaching of  
20 the structure, as claimed. Additionally, the structure of Benner et al., defines a system that requires direct abrasive contact. This is contrary to what is claimed. Indeed, Benner et al. cannot be combined with art to teach the opposite. The office also points to Kunugi, however, Kunugi fails to cure the deficiencies of Benner. The citation to Pant (5,762,536) is noted, however, the art being owned by the assignee of the present

application is well known. Pant does not disclose the features defined in the now amended independent claims.

In view of the foregoing remarks, the Applicants submit the pending claims are patentable over the cited art of record. The dependent claims are also submitted to be  
5 patentable for at least the same reasons.

A Notice of Allowance is requested.

If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6903.

If any additional fees are due in connection with filing this Amendment, the  
10 Commissioner is authorized to charge Deposit Account No. 50-0805 (Order No. LAM2P445). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,  
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